



## FISCAL MEMORANDUM

### SB 1044 - HB 1379

March 11, 2023

**SUMMARY OF BILL AS AMENDED (004302):** Creates the *Tennessee Accommodations for Children Act*. Requires a camp operator, to the extent practicable, to provide a reasonable accommodation to a child attending or participating in the camp if the child or the child's parent or legal guardian requests greater privacy when using a multi-occupancy restroom or changing facility while the child is attending or participating in the camp.

Creates a private right of action for a child or the child's parent or legal guardian against a camp operator if the child or guardian requested an accommodation and the child encounters a member of the opposite sex in a multi-occupancy restroom or changing room; or, if a child is required by the camp operator to share sleeping quarters with a member of the opposite sex other than the child's parent or sibling. Defines "sex" as a person's immutable biological sex as determined by anatomy and genetics existing at the time of birth. Requires a civil action to be brought within one year from the latter of: the date on which the claim arose; or the date on which the child or the child's parent or legal guardian first learned of the event giving rise to the claim.

### FISCAL IMPACT OF BILL AS AMENDED:

#### NOT SIGNIFICANT

Assumptions for the bill as amended:

- The legislation defines reasonable accommodation as access to a single-occupancy restroom or changing facility.
- Reasonable accommodation does not include:
  - (1) Access to a restroom or changing facility that is designated for use by members of the opposite sex while members of the opposite sex are present or could be present;
  - (2) Access to a restroom or changing facility that would put an undue burden on the requesting child;
  - (3) Requesting that a governmental entity or private organization construct, remodel, or in any way perform physical or structural changes to a facility; or
  - (4) Requesting that a governmental entity or private organization limit access to a restroom or changing facility that is designated for use by members of the opposite

sex if limiting access results in a violation of state or local building codes or standards.

- According to information provided by the Department of Health, there are approximately 10 camps which are operated by the state.
- It is assumed that these camps will comply with the proposed legislation without a significant increase in expenditures.
- There is not estimated to be a significant number of actions brought against state or local governments as a result of the proposed legislation.
- Any impact on the court system will be absorbed within existing personnel and resources.

### **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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